

UNITED STATES COPYRIGHT ROYALTY JUDGES  
The Library of Congress

*In re*

**DETERMINATION OF ROYALTY RATES AND  
TERMS FOR TRANSMISSION OF SOUND  
RECORDINGS BY SATELLITE RADIO AND  
“PREEXISTING” SUBSCRIPTION SERVICES  
(SDARS III)**

**Docket No. 16-CRB-0001 SR/PSSR  
(2018-2022)**

**ORDER DENYING FOUR MOTIONS FROM DAVID POWELL**


On the following dates, the Copyright Royalty Judges (Judges) received four filings from David Powell in the captioned case:

1. May 17, 2016: Pro Se Petition to Participate and Motion Objection.<sup>1</sup>
2. July 1, 2016: Objection to Motion to Adopt Settlement Ex-Parte and Protective [sic] Order June 15, 21, 2016.
3. July 8, 2016: Objection for Motion to Dismiss Claim w/ a Countermand Verified Motion to Vacate & Other Sua Sponte Omnibus Motion Ordered for Extraordinary [sic] Circumstances Ex-Parte.
4. July 11, 2016: Pro se Supplemental Counteraffidavit for Elargement [sic] of Time Ex parte to Reply Be Granted Along w/ Omnibus Motions.

The Judges have dismissed Mr. Powell’s Petition to Participate in this proceeding for failing to state any requisite interest in the proceeding. *See Order Granting SoundExchange’s Motion to Dismiss Music Reports, Inc. and David Powell* (June 24, 2016).

Since Mr. Powell is no longer a participant in this proceeding, the Judges **REJECT** all four filings and **DENY** all motions contained in them.<sup>2</sup> Mr. Powell is **PROHIBITED** from filing further papers in this proceeding.

**SO ORDERED.**

  
Jesse M. Feder

Copyright Royalty Judge

Digitally signed by Jesse Feder  
DN: c=US, o=U.S. Government,  
ou=Government Printing office,  
ou=Managed Certificates, ou=Library of  
Congress, ou=Devices, cn=Jesse Feder  
Date: 2016.08.16 15:04:55 -04'00'

DATED: August 16, 2016.

<sup>1</sup> The contents of this filing did not even refer to the subject matter of this proceeding. Instead, it referred to cable rates and satellite distribution matters.

<sup>2</sup> Mr. Powell also did not serve the filings on the other participants as required. Below his signature on each filing is a “Certificate of Service Ex Parte ... put online for all participants viewing.” Section 350.4 (g) of 37 C.F.R. requires that participants serve filings on all other participants in the proceeding. Even if Mr. Powell were still a participant, the Judges would not be able to accept this filing.